FILED
IN OPEN COURT
APR 19
CLERK, U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

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| UNITED STATES OF AMERICA | ) | |
| v. | ) | Criminal No. 1:17-CR-47 |
| DARRICK MATTHEW SELLERS, | ) | |
| *Defendant.* | ) | |

**STATEMENT OF FACTS**

The United States and the defendant, DARRICK MATTHEW SELLERS, agree that, at trial, the United States would have proven the following facts occurred within the Eastern District of Virginia and elsewhere beyond a reasonable doubt with admissible and credible evidence:

1. SELLERS owned and maintained at his residence in Arlington, Virginia, which is within the Eastern District of Virginia, several electronic devices, including an HP laptop computer (Serial Number: 5CG4424YZ8) and an eMachines desktop computer (Serial Number: GDF 400 04437).

2. Sometime on or before May 1, 2015, SELLERS knowingly installed peer-to-peer software on the aforementioned HP laptop computer and eMachines desktop computer. While at his residence in Arlington, Virginia, SELLERS knowingly utilized the peer-to-peer software on the HP laptop computer and eMachines desktop computer to download from the Internet, which is a means or facility of interstate or foreign commerce, images of minor children depicting the lascivious display of genitals, sexual intercourse, masturbation, and/or sadistic or masochistic

abuse. SELLERS found these images by inputting into the search function of the peer-to-peer software terms known to be associated with child pornography.

3. On or about May 1, 2015, law enforcement officers executed a federal search warrant on SELLER's residence in Arlington, Virginia. The HP laptop computer and eMachines desktop computer described above then were seized and later forensically analyzed.

4. The forensic examination revealed that peer-to-peer programs had been installed on the HP laptop computer and eMachines desktop computer. In addition, images of child pornography were found on both computers, including approximately 24 video files on the HP laptop computer of minor children depicting the lascivious display of genitals, sexual intercourse, masturbation, and/or sadistic or masochistic abuse. These images depict such things as naked, prepubescent female children performing oral sex on an adult male, an adult male inserting his penis into what appears to be a prepubescent female child's anal and vaginal area, and an adult male having sexual intercourse with a female child whose legs are bent and spread apart and her wrists are duct taped to her legs.

5. The National Center for Missing and Exploited Children reported that 5 of the 24 files portray actual, known children, and that those 5 video files correspond to 3 unique "series" (*i.e.*, images involving the same victim or victims) of child pornography.

6. For the images described above in Paragraph 4, SELLERS admits that he knowingly downloaded those images through an Internet connection to his Arlington, Virginia residence, and knowingly viewed those images from his residence with the knowledge that they depicted minors, some of whom were prepubescent and/or under the age of 12, and the lascivious display of genitals, sexual intercourse, masturbation, and/or sadistic or masochistic abuse.

7. This Statement of Facts includes only those facts necessary to support the Plea Agreement between the defendant and the government. It does not include each and every fact known to the defendant or to the government, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

8. The actions of the defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake; accident, or other innocent reason.

Respectfully submitted,

Dana J. Boente
United States Attorney

By: Alexander P. Berrang
Alexander P. Berrang
Assistant United States Attorney

**DEFENDANT'S STIPULATION AND SIGNATURE**

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proven the same beyond a reasonable doubt.

By: Darrick Sellers
Darrick Matthew Sellers
Defendant

**DEFENSE COUNSEL'S SIGNATURE**

I am the counsel for Darrick Matthew Sellers. I have carefully reviewed the above Statement of Facts with the defendant. To my knowledge, the defendant's decision to stipulate to these facts is informed and voluntary.

By: [signature]
Patrick Anderson, Esq.
Counsel for Defendant

19. APRIL. 2017